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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,293	06/07/2000	Lewis Dean Dodrill	95-415	9149

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EXAMINER

NAJJAR, SALEH

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 10/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

14

Office Action Summary

Application No.

09/588,293

Applicant(s)

DODRILL ET AL.

Examiner

Saleh Najjar

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

1. This action is responsive to the amendment filed on August 7, 2003. Claims 1, 22, 32, and 53 were amended. Claims 63-64 are newly added. Claims 1-64 are pending. Claims 1-64 represent method, system and program directed toward a unified Messaging system using web based application server for management of messages using standardized servers.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-6, 13-23, 27-37, 44-54, and 58-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Gifford et al., U.S. Patent No. 6,5549,612.

Gifford teaches the invention as claimed including a unified communication services using an active interface for controlling message services (see abstract). As to claim 1, Gifford teaches a method in an application server for executing a voice messaging application, the method comprising:

receiving a first HTTP request for execution of prescribed voice messaging application operation for a subscriber (see figs. 2-6; col. 6-7, 12, Gifford discloses receiving a HTTP request for a voice messaging service at a server);

accessing attribute information for the subscriber from an Internet Protocol (IP) based database server configured for storing subscriber attributes (see col. 11-15, Gifford discloses retrieving subscriber profile information for proper formatting of messaging services);

accessing an IP-based messaging server for subscriber messaging information based on the accessed attribute information (see col. 11-15); and

generating an HTML page, for execution of the prescribed messaging application operation and having media content and control tags, based on the first HTTP request and the subscriber messaging information (see col. 12-14, Gifford teaches that the

voice application services page presented to the subscriber is formatted according to HTML, WML, or XML based on the subscriber capabilities).

As to claim 2, Gifford teaches the method of claim 1, wherein the receiving step includes recovering within the HTTP request a browser configuration, and call parameters (see col. 6-10).

As to claim 3, Gifford teaches the method of claim 2, wherein the recovering step includes identifying the browser configuration as one of a computer browser configuration configured for parsing a prescribed group of media tags and presenting a prescribed group of media types, and a lightweight browser configuration configured for parsing a prescribed portion of the prescribed group of media tags (see col. 10-15).

As to claim 4, Gifford teaches the method of claim 3, wherein the generating step includes generating the HTML page by selectively supplying media tag types based on the identified browser configuration (see col. 10-15).

As to claim 5, Gifford teaches the method of claim 2, wherein the call parameters include a called party identifier, the accessing step including retrieving the attribute information, specifying at least one of subscriber registration status and subscriber messaging preferences, based on the called party identifier (see col. 9-10).

As to claim 6, Gifford teaches the method of claim 5, wherein the call parameters include a calling party identifier the accessing step further including retrieving second subscriber attribute information based on the calling party identifier (see col. 9-12).

As to claim 13, Gifford teaches the method of claim 1, wherein the step of accessing the IP-based messaging server includes determining a presence of a stored message on the IP-based messaging server for the subscriber based on the subscriber messaging information, the generating step including selectively inserting one of a first prompt file specifying no new messages and a second prompt file specifying the determined presence of the stored message, based on the subscriber messaging information (see col. 6-12).

As to claim 14, Gifford teaches the method of claim 13, wherein the step of accessing the IP-based messaging server further includes identifying, for each stored message, a corresponding message type based on corresponding header information

specifying a Multipurpose Internet Media Extension (MIME) type, the second prompt file configured for specifying the corresponding message type for each stored message (see col. 6-12).

As to claim 15, Gifford teaches the method of claim 14, wherein each stored message on the IP-based messaging server is stored within a corresponding e-mail message as a URL encoded string with the corresponding header information, the method further comprising:

selecting one of the stored messages from the IP-based messaging server; and converting the URL encoded string of the selected one message into a media file having a prescribed media type, based on the corresponding MIME type and determined capabilities of a browser having sent the first HTTP request, the generating step including inserting the media file into a media tag with a corresponding media control tag for playback of the media file by the browser (see col. 6-14).

As to claim 16, Gifford teaches the method of claim 15, wherein the converting step includes converting the URL encoded string to text and executing a text to speech routine for converting the text into an audio file based on the header information specifying text and the determined attributes specifying audio only (see col. 6-15).

As to claim 17, Gifford teaches the method of claim 15, wherein the converting step includes converting the URL encoded string into an audio file based on the header information specifying a .wav MIME type (see col. 8-15).

As to claim 18, Gifford teaches the method of claim 14, wherein each stored message on the IP-based messaging server is stored within a corresponding e-mail message as a URL, encoded string with the corresponding header information, the method further comprising:

converting selected header information into an audio file based on determining the MIME type is incompatible with determined capabilities of the browser, the generating step including inserting the audio file into the HTML page for playback by the browser (see col. 8-15).

As to claim 19, Gifford teaches the method of claim 18, wherein the converting step includes converting the selected header information based on determining the

MIME type specifies an image document and the determined capabilities to not include display of images (see col. 6-15).

As to claim 20, Gifford teaches the method of claim 1, further comprising:
receiving a second HTTP request for storage for the subscriber of a message having a prescribed messaging format; and outputting to the IP-based messaging server an instruction for storage of a standard-format message, containing the message and header information specifying the prescribed messaging format, in a directory specified for the subscriber (see col. 6-15).

As to claim 21, Gifford teaches the method of claim 20, wherein the outputting step includes:

converting the message into a URL encoded string;
generating a header that specifies a Multipurpose Internet Media Extension (MIME) type for the prescribed messaging format; and sending as the standard-format message an e-mail message, including the URL encoded string and the header as an attachment, to the IP-based messaging server according to SMTP protocol for delivery to the directory specified for the subscriber (see col. 6-10).

Claims 22-23, 27-37, 44-54, and 58-64 do not teach or define any new limitations above claims 1-6, 13-20 and therefore are rejected for similar reasons.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Scheussler et al., U.S. Patent No. 6,366,950.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claims 7-8, Gifford teaches the method of claim 5.

Gifford fails to teach the limitation wherein the accessing step includes accessing the IP-based database server according to LDAP protocol.

However, accessing a database server according to LDAP protocol is old and well known in the art. For example, Scheussler teaches a system and method for verifying user's identity in a network using email communication (see abstract). Scheussler teaches accessing the IP-based database server according to LDAP protocol (see col. 5-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by implementing LDAP protocol to access a database server. One would be motivated to do so to allow for simple protocol for updating and searching directories running over TCP/IP.

6. Claims 9-12, 25-26, 40-43, and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Bettis, U.S. Patent No. 6,421,708.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claims 9-12, Gifford teaches the method of claim 1, wherein the step of accessing the IP-based messaging server includes selectively obtaining from the IP-based messaging server at least one of a subscriber name (see col. 6-15).

Gifford fails to teach the limitation of obtaining a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed attribute information and converting the subscriber prompt into a media file having at least one prescribed media type wherein the converting step includes converting the subscriber prompt into a Multipurpose Internet Media Extension (MIME) type.wav file playable by a browser and generating an HTML page including inserting a first media tag including the .wav file and a second media tag configured for controlling playing of the .wav file..

However, Bettis teaches a Internet based access of voice mail (see abstract). Bettis teaches obtaining a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed attribute information (see col. 5, lines

10-20, Bettis discloses that the user profile includes items such as greeting a caller will hear when reaching the subscriber).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford in view of Bettis so that a greeting prompt is associated with the subscriber. One would be motivated to do so to inform a calling user of a particular notification.

Claims 25-26, 40-43, and 56-57 do not teach or define any new limitations above claims 9-12 and therefore are rejected for similar reasons.

7. Claims 24, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Scheussler et al., U.S. Patent No. 6,366,950 further in view of McCormick et al., U.S. Patent No. 6,421,709.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claim 24, Gifford teaches the system of claim 23 above.

Gifford fails to teach wherein the application runtime environment accesses the IP based database server according to LDAP protocol.

However, accessing a database server according to LDAP protocol is old and well known in the art. For example, Scheussler teaches a system and method for verifying user's identity in a network using email communication (see abstract). Scheussler teaches accessing the IP-based database server according to LDAP protocol (see col. 5-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by implementing LDAP protocol to access a database server. One would be motivated to do so to allow for simple protocol for updating and searching directories running over TCP/IP.

Gifford fails to teach accessing the IP-based messaging server using IMAP protocol.

However, McCormick teaches a method and system for filtering junk email (see abstract). McCormick teaches accessing a IP based server using IMAP protocol (see col. 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by including the IMP protocol as taught by McCormick. One would be motivated to do so since IMAP protocol is a popular protocol used on the Internet that allows users to directly retrieve messages from their mail boxes.

Claims 54 does not teach or define any new limitations above claim 24 and therefore is rejected for similar reasons.

8. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CAR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CAR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Saleh Najjar', with a stylized, flowing script.

Saleh Najjar
Primary Examiner / Art Unit 2157